

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, JUNE 17, 1998
7:00 P.M.**

1. ROLL CALL

Present: Council Members - Land, Mann, Pennino and Sieglock (Mayor)

Absent: Council Members - Johnson

Also Present: **City Manager Flynn, Deputy City Manager Keeter, Public Works Director Prima, Community Development Director Bartlam, Police Chief Hansen, Finance Director McAthie, City Attorney Hays and City Clerk Reimche**

2. INVOCATION

The invocation was given by Pastor Bill Crabtree, Emanuel Lutheran Church.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Sieglock.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Yvette Maragliano, Special Projects Coordinator and staff liaison to the Greater Lodi Area Youth Commission, announced the Teen of the Month, Jessalee Blackwell from Lodi High School. The Honorary Teen of the Month is Valerie Cacho, who was not able to attend the meeting.
 - b) Dorean Rice and Bob Casalegno with the Lodi-Tokay Rotary Club presented an update and report to the City Council regarding the upcoming Oooh Ahhh Festival which will be held on July 4, 1998 at Lodi Lake Park.
 - c) Mayor Sieglock presented Vickie Marzolf, winner of the Year 2000 Steering Committee logo contest, with a check in the amount of \$500.00. The winning logo was unveiled before the City Council and the public.
 - d) Mayor Sieglock presented a Certificate of Recognition to Hulda Wall, a volunteer from the Loel Center, in appreciation for her dedication in giving of her time to this community. Mrs. Edna Hansen, who also volunteers at the Loel Center, was not able to attend the meeting.
 - e) Mayor Sieglock presented a Certificate of Recognition to Captain Alfred Parker and his wife, Stella Parker, who will be leaving the Lodi Salvation Army to relocate to another area.
 - f) Mayor Sieglock presented a Certificate of Achievement for Excellence in Financial Reporting to Ruby Paiste and Jamie Moso with the Lodi Finance Department. This recognition was awarded to the Finance Department from the Government Finance Officers Association (GFOA). Mrs. Paiste was not able to attend the meeting. Her certificate was accepted by Finance Director McAthie.
 - g) Mayor Sieglock presented a Resolution of Appreciation to Les Dabritz, President/CEO, who is retiring from the Lodi District Chamber of Commerce.
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5. RECESS

Mayor Sieglock called for a five-minute recess and the City Council meeting reconvened at approximately 7:22 a.m.

6. CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Mayor Sieglock, Land second, approved the following items hereinafter set forth **except those otherwise noted** by the vote shown below:

Ayes: Council Members - Land, Mann, Pennino and Sieglock (Mayor)

Noes: Council Members - None

Absent: Council Members - Johnson

- a) Claims were approved in the amount of \$3,854,783.64.
- b) The minutes of May 26, 1998 (Adjourned Regular Meeting), June 3, 1998 (Regular Meeting) and June 9, 1998 (Special Meeting) were approved as written.
- c) Agenda item #E-3 entitled, "Specifications and advertisement for bids for photocopier for the Human Resources Department" was pulled from the agenda pursuant to staff's request.
- d) Adopted Resolution No. 98-92 awarding the bid for the purchase of 20,000 feet of #2/0 15kV XLPE concentric neutral conductor and 10,000 feet of #350 600V Triplex to the respective low bidders, Pirelli Cables of Colusa, California, and BICC Cables of Huntington Beach, and further rejecting the low bid for 5,000 feet of #750 600V XHHW conductor and awarding the purchase to the second low bidder, Pirelli Cables of Colusa for a total amount of \$48,562.93.
- e) Adopted Resolution No. 98-93 awarding the bid for the purchase of power utility duct and fittings for the Electric Utility Department to the low bidder, G.E. Supply Company of Sacramento, in the amount of \$11,258.31.
- f) Adopted Resolution No. 98-94 awarding the purchase of 25 concrete "Lodi Replica" street light standards from the sole supplier in the amount of \$27,080.00.
- g) Authorized the City Manager to execute the Construction Cooperative Agreement between San Joaquin County Council of Governments (SJCOG) and City of Lodi for the Highway 12 - Kettleman Lane/Highway 99 Interchange Improvements Project.
- h) Adopted Resolution No. 98-95 awarding the contract for Highway 12 - Kettleman Lane/Highway 99 Interchange Improvements to Teichert Construction, of Stockton, in the amount of \$2,822,243.50 and appropriated additional funds in accordance with the staff recommendation.
- i) Adopted Resolution No. 98-96 awarding the contract for Legion Park Basketball Court, 835 South Hutchins Street to A.M. Stephens Construction Company, of Lodi, in the amount of \$20,590.00 and appropriated funds in accordance with staff recommendation.
- j) Adopted Resolution No. 98-97 awarding both items of the contract for asphalt materials for fiscal year 1998/99 as follows:

Item A	1,500 Tons/FOB Plant	Granite Construction, Stockton	\$40,410
Item B	300 Tons/Stockpile City Limits	F.T.G. Construction, Lodi	\$ 9,300

- k) Took the following actions with regard to the Bridgetowne, Unit No. 3 development and associated off-site public improvements:
 - Approved the final map for Bridgetowne, Unit No. 3, Tract No. 2864, and directed the City Manager and City Clerk to execute the Improvement Agreement and map on behalf of the City.
 - Appropriated funds for required fee credit.
- l) Approved the Encroachment Permit and Hold Harmless Agreement for 1100 South Cherokee Lane and directed the City Manager and City Clerk to execute the Agreement on behalf of the City.
- m) Adopted Resolution No. 98-98 amending Section 1 of the Traffic Resolution, 97-148, by approving multi-way stop control at Mills Avenue and Tienda Drive.

Speaking on this matter was Mr. Bob Burnett, 500 South Mills Avenue, Lodi, who stated that he is disappointed in the Mills Avenue project and is concerned about what is going to happen next. Mr. Burnett further indicated that he is concerned about what the City is going to do to keep speed down on Mills Avenue. Mr. Burnett stated that he feels the installation of stop signs would deter speeding. He indicated that there are two schools in the area, and he is concerned about the children attending those schools. He also indicated that it is difficult to back out of driveways in some areas. He concluded by asking the City Council to use their best ideas to slow traffic in this area.

Following a brief discussion, the Mayor asked staff to look into what additional stop signs are needed in the area to slow traffic.

- n) Approved the termination of the Public Safety Building Expansion Project Design Services Contract with EKONA Architecture + Planning.
- o) Approved the Purchase Agreement for additional land at Well 20 (2116 West Kettleman Lane), authorized the City Manager to sign the Agreement, and appropriated funds needed to acquire this property in accordance with staff recommendation.
- p) Adopted Resolution No. 98-99 authorizing the City Manager to execute the Northern California Power Agency (NCPA) Geothermal/Hydroelectric Debt Restructuring Certificate of Instruction.
- q) Adopted Resolution No. 98-100 authorizing the City Manager to execute a Letter of Recision to letter recalling City of Lodi Allotment of Power from the Western Area Power Administration (WAPA).
- r) Agenda item #E-18 entitled, "Agreement between San Joaquin County Data Processing and the City of Lodi Police Department" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- s) Agenda item #E-19 entitled, "Resolution approving the application of grant funds from the California Department of Conservation's Agricultural Land Stewardship Program for technical assistance with the preparation of a Greenbelt/Open Space Policy" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- t) Agenda item #E-20 entitled, "Resolution in support of augmentation of Medi-Cal Budget for ambulance services" was pulled from the agenda pursuant to staff's request.

- u) Agenda item #E-21 entitled, "Adopt the 1998-99 Operating and Capital Improvement Budgets and the 1998-99 Appropriations Spending Limit" was removed from the Consent Calendar and discussed and acted upon under the Regular Calendar.
 - v) Authorized staff to seek statements of qualifications from consultants for development of a long-range master plan for treatment of wastewater at the City's White Slough Water Pollution Control Facility, and authorized submittal of a grant application to the CALFED Bay-Delta Program.
 - w) Agenda item #E-23 entitled, "No-Parking Zone on south side of Lodi Avenue east of Pleasant Avenue" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
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7. ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- a) Agenda item #E-18 entitled, "Agreement between San Joaquin County Data processing and the City of Lodi Police Department".

Police Chief Hansen informed the City Council that this is a renewal of the yearly contractual agreement between the City of Lodi and the County of San Joaquin. CJIS is the county-wide computer connection that provides the Police Department with State and Federal computer access.

This data processing service allows the Police Department to access County warrant information and other criminal justice information housed in the San Joaquin County Data Base. This information is critical to local law enforcement.

The estimated cost will be \$21,613.46, which is \$4,200 more than budgeted. The estimated increase is due to increased costs from the County. With the new mobile computer system, costs may vary because of individual usage by officers from the patrol cars.

Council Member Pennino questioned why the estimated cost of this contract has increased. Police Chief Hansen responded that this is a short-term increase.

Following further discussion, the City Council, on motion of Council Member Pennino, Land second, adopted Resolution No. 98-101 granting permission to Lodi Police Department to enter into an agreement with San Joaquin County, through its Data Processing Division, for fiscal year 1998-99 to provide data processing services and access to Automated Message Switching/CJIS Systems by the following vote:

Ayes: Council Members - Land, Pennino and Sieglock (Mayor)
Noes: Council Members - None
Absent: Council Members - Johnson
Abstain: Council Members - Mann

- b) Agenda item #E-19 entitled, "Resolution approving the application for grant funds from the California Department of Conservation's Agricultural Land Stewardship Program for technical assistance with the preparation of a Greenbelt/Open Space Policy".

At the request of the Mayor, Community Development Director Bartlam presented the following report to the City Council:

One of the major goals identified by the City Council this past year is the creation of a Greenbelt Policy, to be carried out by the Community Development Department. The grant, if approved, will supplement staff's efforts in gathering some of the preliminary information necessary to formulate such a policy. The ALSP makes funding available for the acquisition of agricultural conservation easements and fee title acquisitions, as well as planning grants. At this time, we are applying for a planning grant only. The Department of Conservation's application manual specifies that, among other things, a "resolution from the government jurisdiction in which the project is located endorsing the project and the application for grant funds", be adopted. The application will also demonstrate the City's commitment to agricultural land preservation by citing both the General Plan and Growth Management Ordinance as evidence of our commitment in this regard.

Mayor Sieglock indicated that this is a very exciting concept.

The City Council, on motion of Mayor Sieglock, Pennino second, adopted Resolution No. 98-102 entitled, "A Resolution Of The Lodi City Council Approving The Application For Grant Funds From The California Department Of Conservation's Agricultural Land Stewardship Program For Technical Assistance With The Preparations Of A Greenbelt Open Space Policy" by the following vote:

Ayes: Council Members - Land, Mann, Pennino and Sieglock (Mayor)

Noes: Council Members - None

Absent: Council Members - Johnson

- c) Agenda item #E-23 entitled, "No-Parking Zone on south side of Lodi Avenue east of Pleasant Avenue".

Public Works Director Prima prepared the following report on the matter:

The McDonald's franchise owner has requested approval of a concept plan to renovate the restaurant located at the corner of Lodi Avenue and Church Street. The modification will relocate the drive-thru window.

Currently, site access is provided from Church Street, Lodi Avenue, and an alley from Pleasant Avenue. The drive-thru window is located on the restaurant's south side which results in a majority of the drive-thru customers using Church Street to exit. Both right and left turns are permitted onto Church Street from the McDonald's site.

The proposed relocation of the drive-thru will result in a majority of the drive-thru traffic exiting on to Lodi Avenue. This additional traffic will require that the current left-turn prohibition onto Lodi Avenue be changed. To accommodate left-turn traffic on to Lodi Avenue, the center left-turn lane must be extended westward which will require that the three on-street parking spaces on the south side of Lodi Avenue along the frontage of the Royal Day Spa be eliminated. This business has its own parking lot.

Mayor Pro Tempore Land expressed a concern as to whether or not the property owners received notification regarding this matter. Public Works Director Prima indicated that, although an attempt was made to contact the property owners, he cannot be entirely sure that they received the information.

Following further discussion, the City Council, on motion of Mayor Pro Tempore Land, Pennino second, adopted Resolution No. 98-103 approving the installation of a no-parking zone on the south side of Lodi Avenue, from Pleasant Avenue to 80 feet east of Pleasant Avenue, to accommodate striping modifications and directed the Public Works Director to make contact with the Royal Day Spa.

9. COMMUNICATIONS (CITY CLERK)

- Planning Commission**

Library Board of Trustees

Lodi Arts Commission

10. REGULAR CALENDAR

- a) Agenda item #H-1 entitled, "Restriction of parking of vehicles for sale on City streets - discussion and direction" was pulled from the agenda pursuant to staff's request.
- b) Agenda item #H-2 entitled, "Request for creation of San Joaquin County Library Taxing Authority" was pulled from the agenda pursuant to staff's request.

11. ACTION ON ITEM REMOVED FROM THE CONSENT CALENDAR AND DISCUSSED UNDER THE REGULAR CALENDAR

- a) Agenda item #E-21 entitled, "Adopt the 1998-99 Operating and Capital Improvement Budgets and the 1998-99 Appropriations Spending Limit".

Finance Director McAthie presented the following overview.

The City Manager presented the budget preparation calendar for the 1998-99 Operating and Capital Improvement Budget process to the City Council on March 24, 1998 at a Shirtsleeve Session. Additional meetings were held on May 5, May 12 and May 26, 1998.

City staff reviewed the Council goals and objectives, the Council accomplishments, and the City Manager recommended adjustments to the operating and capital improvement budgets during these shirtsleeve meetings.

Based on Council guidance during budget hearings, the City Manager is recommending adjustments to the 1998-99 annual budgets. Mrs. McAthie presented a summary of the financial adjustments.

As adopted in the City Council's Budget Policies, the annual appropriation for capital projects is based on the projects designated by the City Council. The adoption of the projects listed in the 1998/99 Capital Improvement Budget and Equipment Replacement Budget does not automatically allocate funding for a specific project or equipment purchase. The appropriation is made to a capital control account and held there pending specific authorization to release and appropriate funds to a project account.

Three areas will be coming back to Council for separate action: a) an appropriation for tourism, b) recommended new revenues, and c) realigning some General Fund operations to Enterprise funds.

Council Member Mann questioned the City Manager if the City had contingency plans if the State decides to cut its auto license fee in half. City Manager Flynn indicated that there was not a contingency plan; however, Governor Wilson promised the lost revenues would be back filled with other revenues. Staff will come back to Council with a recommendation if the vehicle license fees are revoked by the Governor.

The City Council, on motion of Council Member Pennino, Sieglock second, adopted Resolution No. 98-104 approving the 1998-99 Operating and Capital Improvement Budgets and the 1998-99 Appropriation Spending Limit as presented by staff.

12. ORDINANCES

None

13. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

14. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- a) Mayor Pro Tempore Land reflected on the recent dedication of Van Buskirk Park and complimented the Parks and Recreation Department and the Lodi Rotary Club on this outstanding project. Mayor Pro Tempore Land spoke about a lady from the neighborhood who had come forward at the dedication to give a testimonial on this project and what it meant to the neighborhood. Further, he advised the City Council that because of the park refurbishing, a Neighborhood Watch Program had been established in the area.

Mayor Pro Tempore Land announced that on June 18, 1998 at 5:30 p.m. there will be a dedication of Peterson Park which is located at 199 Evergreen Way, Lodi.

Mayor Pro Tempore Land advised that he and Council Member Johnson had just returned from the American Public Power Association (APPA) Conference which was held in San Antonio, Texas. He further pointed out that deregulation will eventually affect both the transmission and distribution segments of the industry and that presently twelve states are on line with deregulation. Mayor Pro Tempore Land indicated that the City of Lodi Electric Utility Department needs to develop a master plan.

15. CLOSED SESSION

Mayor Sieglock adjourned the City Council meeting to a Closed Session at approximately 8:07 p.m. to discuss the following matters:

- a) Conference with labor negotiator: Government Code §54957.6. Agency negotiator, Joanne Narloch. Employee organization, Lodi Police Dispatchers Association (LPDA)
- b) Conference with labor negotiator: Government Code §54957.6. Agency negotiator, Joanne Narloch. Employee organization, San Joaquin Public Employees Association (SJPEA) for Maintenance and Operators
- c) Conference with labor negotiator: Government Code §54957.6. Agency negotiator, Joanne Narloch. Employee organization, San Joaquin County Public Employees Association (SJPEA) for General Services
- d) Labor relations - United Firefighters of Lodi (UFL) and progress report regarding grievance arbitration. Negotiator: Human Resources Director Joanne Narloch (Government Code §54957.6)
- e) Actual Litigation - Government Code §54956.9(a) Kenneth D. Meyers v. City of Lodi et al., San Joaquin County Superior Court, Case No. CV 001095

13. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

The City Council meeting reconvened at approximately 9:25 p.m. and Mayor Sieglock disclosed the following action(s):

No final action was taken in these matters.

14. ADJOURNMENT

There being no further business to come before the City Council, Mayor Sieglock adjourned the meeting at approximately 9:25 p.m.

ATTEST:

Alice M. Reimche, City Clerk